

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PAULA J. KARAS,

No. C 12-02310 CRB

Plaintiff,

**ORDER RE IN FORMA PAUPERIS
STATUS ON APPEAL**

v.

ACCESS HOLLYWOOD,

Defendant.

On October 15, 2012, plaintiff-appellant Paula Karas filed with this Court an Application to Proceed *In Forma Pauperis* (IFP) in conjunction with her Notice of Appeal to the United States Court of Appeal for the Ninth Circuit. The Ninth Circuit will waive its filing fee when an appellant has obtained IFP status from the district court. See 9th Cir. R. 3-1; Fed. R. App. P. 24(a). This Court previously granted Karas' motion to proceed IFP, see dkt. 18, however, 28 U.S.C. § 1915(a)(3) allows the Court to revoke that status for purposes of appeal if the appeal is frivolous.

Here, Karas' complaint alleged constitutional claims but identified no state actors or private parties even arguably acting under color of state law. Karas also failed to take advantage of her opportunity to amend the pleadings to state a claim, and failed to

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1 appear at a scheduled case management conference. Accordingly, the Court finds that the
2 appeal is frivolous, and revokes Karas' IFP status for purposes of appeal under 28 U.S.C.
3 § 1915(a)(3).

4 **IT IS SO ORDERED.**

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7 Dated: October 16, 2012



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE